

01-03-07

IFW 1745



Practitioner's Docket No.: 791_065 CON

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Hiroshi Nemoto and Kenshin Kitoh

Appeal No.: 2006-3113

Art Unit: 1745

Ser. No.: 09/997,604

Examiner: Cynthia K. Lee

Filed: November 29, 2001

Conf. No.: 5235

For: LITHIUM SECONDARY BATTERY

Board of Patent Appeals and Interferences
United States Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to **Board of Patent Appeals and Interferences, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450** on **December 29, 2006** under "EXPRESS MAIL" mailing label number EV 068578018 US.

Elizabeth A. VanAntwerp
Elizabeth A. VanAntwerp

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97(d)**

**TIME OF TRANSMITTAL OF ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after*:

- (1) a final action under §1.113,
- (2) a notice of allowance under §1.311, or
- (3) an Office Action that closes prosecution ,

but before, or simultaneously with, the payment of the issue fee.

STATEMENT AND FEE

2. In accordance with the requirements of 37 CFR §1.97(d):

- A. Accompanying this transmittal is a statement, as specified in 37 CFR §1.97(e).
- B. Applicant(s) submit(s) the submission fee set forth in §1.17(p) (\$180.00).

METHOD OF PAYMENT OF FEE

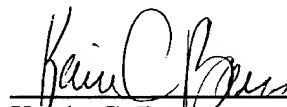
3. ☒ Attached is a check in the amount of \$180.00.
[] The Total Fees Due were paid via EFS on Form PTO-875.

If any additional fees are due, please charge Deposit Account 50-1446.

Respectfully submitted,

December 29, 2006

Date



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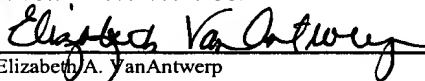
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Elizabeth A. VanAntwerp

CERTIFICATION UNDER 37 CFR §1.97(e)

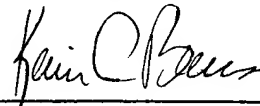
Sir:

☒ Each item of information contained in the Information Disclosure Statement filed herewith was *first* cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

OR

☐ No item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,



December 29, 2006

Date

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Elizabeth A. VanAntwerp
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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. Required copies of the references listed on Form PTO-1449 are attached.

Also enclosed is a copy of a Japanese Search Report bearing a mailing date of December 5, 2006 from a corresponding Japanese patent application, and the U.S. PTO is directed thereto for a concise statement of possible relevance of the references cited therein.

In compliance with the concise explanation requirement under 37 CFR § 1.98(a)(3) for foreign language documents, Japanese Laid-Open Patent Publication No. 10-117406 A1 (Ref. AX) corresponds to U.S. Patent No. 6,132,902 (Ref. AV).

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. It is respectfully

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requested that the information be expressly considered during the prosecution of this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

December 29, 2006

Date



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Form PTO-1449

US DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

DEC 29 2006

(use as many sheets as necessary)

Complete if Known

Application Number	09/997,604
Filing Date	November 29, 2001
First Named Inventor	Hiroshi Nemoto
Art Unit	1745
Examiner Name	Susy N Tsang-Foster
Confirmation No.	5235
Attorney Docket No.	791_065 CON

Sheet **1** of **1**

U.S. PATENT DOCUMENTS

Exam. Initial		Document Number	Date	Name	Our Docket No.	Class	Sub Class	Filing Date
	AV	6,132,902	10-17-2000	Miyasaka, Tsutomu				

U.S. RELATED COPENDING APPLICATIONS

Exam. Initial		Application/ Publication Number	Filing/ Publication Date	Inventor Name	Our Docket No.	Class	Sub Class

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation	Abstract
	AW	06-290783 A1	10-18-1994	JP			JPO Machine Translation	✓
	AX	10-117406 A1	05-06-1998	JP				✓
	AY	10-208747 A1	08-07-1998	JP			JPO Machine Translation	✓
	AZ	10-214638 A1	08-11-1998	JP			JPO Machine Translation	✓

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages etc.)

Examiner:	Date Considered:
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.